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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/198,590	11/23/1998	SUNIL KUMAR CHANDRUPATLA	CISCO-0610	2698

7590 03/15/2002  
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EXAMINER

NGUYEN, NGA B

ART UNIT	PAPER NUMBER
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2164

DATE MAILED: 03/15/2002

24

Please find below and/or attached an Office communication concerning this application or proceeding.

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## Office Action Summary

Application No.  
09/198,590

Applicant(s)  
Chandrupatia et al.

Examiner  
Nga B. Nguyen

Art Unit  
2164



-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE three MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136 (a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

1) ☒ Responsive to communication(s) filed on Dec 31, 2001

2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 35 C.D. 11; 453 O.G. 213.

### Disposition of Claims

4) ☒ Claim(s) 1-13, 15, 16, 18-21, 23, 26, 27, 29, 30, 32, and 34 is/are pending in the applica

4a) Of the above, claim(s) \_\_\_\_\_ is/are withdrawn from considera

5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.

6) ☒ Claim(s) 1-13, 15, 16, 18-21, 23, 26, 27, 29, 30, 32, and 34 is/are rejected.

7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.

8) ☐ Claims \_\_\_\_\_ are subject to restriction and/or election requirem

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are objected to by the Examiner.
- 11) ☐ The proposed drawing correction filed on \_\_\_\_\_ is: a) ☐ approved b) ☐ disapproved.
- 12) ☐ The oath or declaration is objected to by the Examiner.

### Priority under 35 U.S.C. § 119

13) ☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

a) ☐ All b) ☐ Some\* c) ☐ None of:

- ☐ Certified copies of the priority documents have been received.
- ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
- ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\*See the attached detailed Office action for a list of the certified copies not received.

14) ☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

### Attachment(s)

- 15) ☒ Notice of References Cited (PTO-892) 18) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 16) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 19) ☐ Notice of Informal Patent Application (PTO-152)
- 17) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s). \_\_\_\_\_ 20) ☐ Other:

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### DETAILED ACTION

1. This Office Action is the answer to the communication filed on December 31, 2001, which paper has been placed of record in the file.
2. Claims 1-13, 15, 16, 18-21, 23, 26, 27, 29, 30, 32, and 34 are pending in this application.

#### *Response to Arguments/Amendment*

3. By performing a further search, Examiner finds the new prior arts to reject the claimed invention, therefore, Examiner decides to withdraw the allowance of claims 1-13, 15, 16, 18-21, 23, 26, 27, 29, 30, 32, and 34 in the previous Office action and make this action NON-FINAL.

#### *Claim Rejections - 35 USC § 112*

4. *The following is a quotation of the second paragraph of 35 U.S.C. 112:*

*The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.*

5. Claims 18-21, 26, 27, 29, 30, 32, and 34 rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Regarding claims 18-21, it is not clear whether the process of “correlates account start-stop event data and network flow data into a subscriber specific call detail record” is done by “an

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integrating accounting adapter” or “network flow adapter”. In claim 21, “a correlator” functions as the same “an integrating accounting adapter” (or “network flow adapter”), thus, correlates account start-stop event data and network flow data into a subscriber call detail record” will be done by either or both device? Moreover, the devices “a parser”, “a publisher”, “an aggregator”, “a correlator”, and “a reformatter” are not found in the Specification.

The dependent claims 26, 27, 29, 30, 32, and 34 contain the redundant limitation “network flow data including data regarding the type of packets utilized by a user” already recited in the parent claims.

***Claim Rejections - 35 USC § 102***

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371© of this title before the invention thereof by the applicant for patent.

7. Claims 1, 3, 5, 6, 9, 15, 18, and 23 are rejected under 35 U.S.C. 102(e) as being anticipated by Koperda et al, U.S. Patent No. 6,230,203.

Regarding claim 1, Koperda discloses a method for accounting for network usage comprising:

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obtaining accounting start-stop event data from an accounting server (column 8, lines 8-20, 39-47, column 12, line 58-column 13, line 5 and column 22, lines 39-41);

obtaining network flow data from a router within a network through an intermediary netflow collector, network flow data including data regarding the number and type of packets utilized by a user (column 7, line 59-column 8, line 2; column 8, lines 30-42 and column 20, lines 25-42); and

correlating accounting start-stop event data and network flow data into a subscriber specific call detail record unique to user by matching accounting start-stop event data associated with user with network flow data associated with user (column 12, line 58-column 13, line 5 and column 20, lines 25-42).

Regarding claim 3, Koperda further discloses collecting accounting start-stop event data at a target device that subscribes to accounting start-stop event data (column 19, lines 55-62).

Regarding claim 5, Koperda further discloses aggregating network flow data at network flow collector according to a service provider defined aggregation scheme (column 19, lines 55-63 and column 8, lines 30-40).

Regarding claim 6, Koperda further discloses aggregating network flow data further comprises: basing aggregation of network flow data on a specified time period (column 13, lines 6-8).

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Regarding claim 9, Koperda further discloses filtering network flow data at network flow collector according to a service provider defined filtration scheme (column 19, lines 55-63 and column 8, lines 30-40).

Claim 15 is written in means and parallel limitations as found in claim 1, therefore is rejected by the same rationale.

Claim 18 is written in apparatus and parallel limitation as found in claim 1, therefore is rejected by the same rationale.

Claim 23 is written in computer software and parallel limitations as found in claim 1, therefore are rejected by the same rationale.

***Claim Rejections - 35 USC § 103***

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 2, 4, 7, 8, 10-13, 16, and 19-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Koperda et al, U.S. Patent No. 6,230,203 in view of Official notice taken by Examiner.

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Regarding claim 2, Koperda does not teach parsing accounting start-stop event data from accounting sever on a prescribed time interval and publishing accounting start-stop event data on an information bus. Official notice is taken that parsing accounting start-stop event data from accounting sever on a prescribed time interval and publishing accounting start-stop event data on an information bus are old and well-known in the art of network. Therefore, it would have been obvious to one with ordinary skill in the art at the time the invention was made to include the feature above with Koperda's in order to collect start-stop event data for the billing purpose.

Regarding claim 4, Koperda further discloses collecting accounting start-stop event data at a target device that subscribes to accounting start-stop event data (column 19, lines 55-62).

Regarding claims 7-8, Koperda does not teach basing aggregation of network flow data on the Internet Protocol Layer 3 source address and Internet Protocol Layer 4 destination address. Official notice is taken that collecting network flow data on the Internet Protocol Layer 3 source address and Internet Protocol Layer 4 destination address are well-known in the art of network. Therefore, it would have been obvious to one with ordinary skill in the art at the time the invention was made to include the features above with Koperda's for the purpose of using Internet Protocol Layer 3 source address and Internet Protocol Layer 4 destination address to collect network flow data.

Regarding claim 10, Koperda further discloses: collecting network flow data from a router and forwarding network flow data to network flow collector (column 7, line 58-column 8, line 2 and column 19, lines 55-62); aggregating network flow data according to a defined

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aggregation scheme and parsing network flow data from network flow collector (column 19, line 55-column 20, line 5). However, Koperda does not directly teach publishing network flow data on an information bus. Official notice is taken that publishing network flow data on an information bus is well-known in the art of network. Therefore, it would have been obvious to one with ordinary skill in the art at the time the invention was made to include the feature above with Koperda's in order to control the network flow data for the billing purpose.

Regarding claim 11, Koperda further discloses filtering network flow data according to a service provider defined filtration scheme (column 19, lines 55-63 and column 8, lines 30-40).

Regarding claim 12, Koperda does not teach reformatting call detail record to meet post-correlated applications. Official notice is taken that reformatting a record to meet a compatible software application is well-known in the art. Therefore, it would have been obvious to one with ordinary skill in the art at the time the invention was made to include the feature above with Koperda's for the billing purpose.

Regarding claim 13, Koperda further discloses a method for accounting for network usage comprising:

collecting network flow data from a network router and forwarding network flow data to a network flow collector, network flow data including data regarding the number and type of packets utilized by a user (column 7, line 59-column 8, line 2; column 8, lines 30-42 and column 20, lines 25-42); and



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aggregating network flow data according to a prescribed aggregation scheme and parsing network flow data from network flow collector (column 19, line 55-column 20, line 5);

collecting accounting start-stop event data and network flow data at a target device that subscribes to accounting start-stop event data and network flow data (column 19, lines 55-62);

correlating accounting start-stop event data and network flow data into a subscriber specific call detail record unique to user by matching accounting start-stop event data associated with user with network flow data associated with user (column 12, line 58-column 13, line 5 and column 20, lines 25-42).

Koperda does not teach parsing accounting start-stop event data from an accounting server on prescribed time interval and publishing accounting start-stop event data and network flow data on an information bus. Official notice is taken that parsing accounting start-stop event data from an accounting server on prescribed time interval and publishing accounting start-stop event data and network flow data on an information bus are well-known in the art of network. Therefore, it would have been obvious to one with ordinary skill in the art at the time the invention was made to include the feature above with Koperda's in order to control start-stop event data and the network flow data for the billing purpose.

Claim 16 is written in means and parallel limitations found in claim 13, therefore is rejected by the same rationale.

Claims 19-21 are written in apparatus and parallel limitation as found in claims 2, 10, 12, therefore are rejected by the same rationale.

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***Conclusion***

10. Claims 1-13, 15, 16, 18-21, 23, 26, 27, 29, 30, 32, and 34 are rejected.

11. The prior arts made of record and not relied upon is considered pertinent to applicant's disclosure:

Saari et al (US 6,338,046) discloses a system and method for determining charges for use of network service connections.

Kerr et al (US 6,243,667) discloses a method and system for switching in networks responsive to message flow patterns.

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to examiner Nga B. Nguyen, whose telephone number is (703)306-2901. The examiner can normally be reached on Monday-Thursday from 8:30 AM-5:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Vincent A. Millin, can be reached on (703)308-1065.

13. **Any response to this action should be mail to:**

Commissioner of Patents and Trademarks

c/o Technology Center 2700

Washington, D.C. 20231

**or faxed to:**

(703) 308-9051, (for formal communications intended for entry)

**or:**

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(703) 308-5397 (for informal or draft communications, please label

"PROPOSED" or "DRAFT")

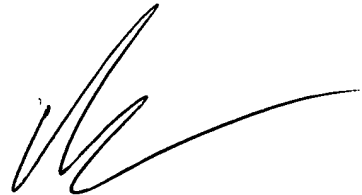
Hand-delivered responses should be brought to Crystal Park II,

2121 Crystal Drive, Arlington.

VA., Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (703)305-3900.

Nga B. Nguyen  
March 7, 2002



**VINCENT MILLIN**  
**SUPERVISORY PATENT EXAMINER**  
**TECHNOLOGY CENTER 2100**